

QUIN DENVIR, Bar #49374  
Federal Defender  
LINDA HARTER, Bar # 179741  
Assistant Federal Defender  
801 I Street, 3rd Floor  
Sacramento, California 95814  
Telephone: (916) 498-5700

OK/HAV

Attorney for Defendant  
STUART MARTIN ALLEN

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR-S-04-0438 DFL
	)	
Plaintiff,	)	
	)	STIPULATION AND [PROPOSED ORDER]
v.	)	
	)	
STUART MARTIN ALLEN,	)	Date: November 10, 2005
	)	Time: 10:00 A.M.
	)	
	)	Judge: Hon. David F. Levi
Defendant.	)	

---

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, WILLIAM WONG, Assistant United States Attorney, attorney for Plaintiff, LINDA HARTER, Assistant Federal Defender, attorney for defendant, that the current Status Conference date of October 6, 2005 be vacated and a new Status Conference date of November 10, 2005 at 10:00 a.m. be set.

This case is being re-assigned to Dennis Waks. He will need the additional time to speak with Mr. Allen and review the case.

It is further stipulated and agreed between the parties that the period beginning October 6, 2005 to November 10, 2005, should be excluded in computing the time within which the trial of the above

1 criminal prosecution must commence for purposes of the Speedy Trial Act  
2 for defense preparation. All parties stipulate and agree that this is  
3 an appropriate exclusion of time within the meaning of Title 18, United  
4 States Code, Section 3161(h)(8)(iv) (Local Code T4) and that the ends  
5 of justice to be served by a continuance outweigh the best interests of  
6 the public and the defendant in a speedy trial.

7 Dated: October 5, 2005

8 Respectfully submitted,

9 QUIN DENVIR  
10 Federal Defender

11 /S/LINDA HARTER  
12 LINDA HARTER  
13 Assistant Federal Defender  
14 Attorney for Defendant  
15 STUART MARTIN ALLEN

14 MCGREGOR W. SCOTT  
15 United States Attorney

16 Dated: October 5, 2005

17 BY: /S/WILLIAM WONG  
18 WILLIAM WONG  
19 Assistant U.S. Attorney  
20  
21  
22  
23  
24  
25

26 Stipulation and order/Stuart Allen\Cr-S-04-438  
27  
28

**ORDER**

Based on the parties' stipulation and good cause appearing therefrom, the Court hereby adopts the stipulation of the parties in its entirety as its order. The Court specifically finds that the ends of justice served by the granting of such continuance outweigh the interests of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

DATED:10/26/2005

/s/ David F. Levi  
HONORABLE DAVID F. LEVI  
District Court Judge

Stipulation and order/Stuart Allen/Cr-S-05-174